

ASSEMBLY BILL

No. 446

Introduced by Assembly Member Niello

February 24, 2009

An act to amend Section 20909 of the Government Code, relating to public employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

AB 446, as introduced, Niello. Public employees' retirement: benefits.

The Public Employees' Retirement Law calculates service retirement allowances, in part, based on years of credited service. Members of the Public Employees' Retirement System may receive service credit for public service not otherwise subject to credit, upon payment of specified additional contributions. Existing law authorizes specified members of that system, including employees or officers of the state, the university, a school employer, or a contracting agency and certain legislative employees, to elect to make additional contributions and receive up to 5 years of additional retirement service credit, as defined, subject to specified limitations.

This bill would make a technical, nonsubstantive change to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 20909 of the Government Code is
2 amended to read:

1 20909. (a) A member who has at least five years of credited
2 state service, may elect, by written notice filed with the board, to
3 make contributions pursuant to this section and receive not less
4 than one year, nor more than five years, in one-year increments,
5 of additional retirement service credit in the retirement system.

6 (b) A member may elect to receive this additional retirement
7 service credit at any time prior to retirement by making the
8 contributions as specified in Sections 21050 and 21052. A member
9 may not elect additional retirement service credit under this section
10 more than once.

11 (c) For purposes of this section, “additional retirement service
12 credit” means time that does not qualify as public service, military
13 service, leave of absence, or any other time recognized for service
14 credit by the retirement system.

15 (d) Additional retirement service credit elected pursuant to this
16 section may not be counted to meet the minimum qualifications
17 for service or disability retirement or for health care benefits, or
18 any other benefits based upon years of service credited to the
19 member.

20 (e) This section ~~only applies~~ *shall only apply* to the following
21 members:

22 (1) A member while he or she is employed in state service at
23 the time of the additional retirement service credit election.

24 (2) A member of the system defined in Section 20324.

25 (f) For purposes of this section, “state service” means service
26 as defined in Section 20069.